

EXHIBIT 2

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

ePLUS, INC. : Civil Action No.
vs. : 3:09CV620
LAWSON SOFTWARE, INC. : September 15, 2011

COMPLETE TRANSCRIPT OF THE CONFERENCE CALL
BEFORE THE HONORABLE ROBERT E. PAYNE
UNITED STATES DISTRICT JUDGE

APPEARANCES:

Scott L. Robertson, Esquire
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Peppy Peterson, RPR
Official Court Reporter
United States District Court

1 have provided to us before was in the 30 range. I'm okay with
2 those. You know, as long as they are asking reasonable
3 questions, we're going to respond to those. So right there, we
4 can take care of that right now.

5 Mr. Robertson, please provide me those document
6 requests and interrogatories. I would ask you that we'd have
7 until October 7th to respond to those. We'd like to be able to
8 deal with this brief. I'd like to be able to fully inform the
9 Court that there were hundreds of hours placed into the
10 requisition center product, that it wasn't this simple
11 20-minute download that's being represented.

12 It is a 20-minute download, but that's just to get
13 the software onto the computer. There's a whole lot of other
14 development, implementation that goes on to this. To take out
15 the download portion is completely irrelevant.

16 THE COURT: That's not the problem. You're not
17 telling your customers it takes hundreds of hours to do
18 anything, and I think what you're doing is conflating the time
19 you worked on things and the time it will take to actually
20 achieve the solution, and I want it sorted out.

21 And I want Mr. Weaver and ePlus to have full and
22 complete access in any way that they want it to be able to
23 understand exactly how this system works, and how, if at all,
24 it's different than the other system. And there are going to
25 be no limitations on that, because it's important --

1 MR. SCHULTZ: We provided all of the source code. We
2 provided them a demonstration -- I guess we can work with ePlus
3 on what else they want, but we provided them all the
4 information regarding the system itself.

5 THE COURT: You give them what they want.

6 MR. ROBERTSON: We respectfully disagree with that.

7 THE COURT: You give them what you want. Mr.
8 Robertson, you formulate what you want, and you submit it to
9 them, and unless there's something that is egregious, you give
10 it to them, Mr. Schultz, because there is enough information
11 right now to trouble the Court with respect to whether or not
12 what was said to the Court and what is being said to your
13 customers can be harmonized.

14 Now, they may be able to be harmonized, and I realize
15 you haven't even been heard on this issue yet, and I want to
16 hear what you have to say, but I want to hear what you have to
17 say, and the reason I asked for this call, with you being fully
18 knowledgeable that you have a job to do to explain to me the
19 apparent discrepancies and to understand that there are
20 concerns to be dealt with.

21 So, to that end, it is important that the plaintiff's
22 expert have access in the way the plaintiff has outlined. It
23 needs access to be able fully to deal with this at a hearing,
24 and I don't want -- we don't want to spend a great long time
25 getting ready for this hearing and have another trial over

1 something. And I don't want any situation to develop so that
2 there are fine distinctions being drawn that don't make any
3 difference. Do you understand what I'm saying, Mr. Schultz?

4 MR. SCHULTZ: Your Honor, I do understand what you're
5 saying. We will continue, as we have been, cooperating with
6 ePlus.

7 THE COURT: Well, let me tell you that the letters
8 that I saw from Mr. McDonald early in the year when this
9 exchange was going back and forth don't stand for cooperation
10 where I come from. They stand for fighting, the likes of which
11 I saw in the antecedent parts of this case that caused this
12 case to be delayed once, and that created problems, and I'm not
13 going to have that anymore.

14 Now, the other thing that I have in mind, I suppose
15 you're going to offer some kind of expert testimony, Mr.
16 Schultz, are you?

17 MR. SCHULTZ: Yes, we are, Your Honor.

18 THE COURT: Who is that going to be from?

19 MR. SCHULTZ: Dr. Shamos.

20 THE COURT: I want -- I don't usually do this, but
21 I'm of a mind that it might be appropriate in this instance for
22 there to be a court-appointed expert to look at this thing and
23 to help me with this given the circumstances which have arisen.

24 MR. SCHULTZ: Your Honor, this is Mr. Schultz, and I
25 would like to explore that.

1 THE COURT: I'm sorry, I think I did get started on
2 that, Mr. Merritt.